

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Rodney R. Richburg
116 Putter Drive
Sumter, South Carolina 29150

File Number 2003-118023

**Consent Order
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Rodney R. Richburg, a licensed South Carolina resident insurance producer.

Upon review of this matter, I hereby find as fact, that Mr. Richburg, while licensed to do business as a resident insurance producer within the State of South Carolina, was convicted by a South Carolina Court of General Sessions, Sumter County, of FTC/Fraud; Docket Number 2002GS4300659. This type of conduct can ultimately lead to the revocation of his license to transact the business of insurance as a producer in South Carolina following a public hearing at the Administrative Law Judge Division.

Prior to the initiation of any administrative proceedings by the Department against him, Mr. Richburg and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that Mr. Richburg would waive his right to a public hearing, be placed under Suspension for a period of 30 days and thereafter on Probation under the direct supervision of his employer, James V. Wilson, Jr. Mr. Richburg would also pay an administrative penalty through the Department in the total amount of \$12,000.00 dollars, to be submitted within 30 days.

Sections 38-45-140 and 38-43-130 of the South Carolina Code grant the Director of Insurance the power to revoke an insurance broker's license for violating any of South Carolina's Insurance Laws.

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Rodney Richburg has violated S.C. Code Ann. § 38-43-130(Supp. 2002). As a result, I can now revoke his resident insurance producer's license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-43-130 (Supp. 2002), and after carefully considering the recommendation of the parties, I hereby impose against Mr. Richburg an administrative fine in the total amount of \$12,000.00 dollars, suspend his producer's license for 30 days, and place him on a Probationary Period of six months, under the supervision of James Wilson, Jr.

The parties have reached this agreement in consideration of Rodney Richburg's assurance that in the future he will comply with the State's insurance laws. The parties expressly agree and understand that this resolution constitutes full accord and satisfaction of this matter. By his signature upon this consent order, Rodney Richburg acknowledges that he understands that this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002).

Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (4) (Supp. 2002).

It is, therefore, ordered that Rodney Richburg shall pay through the Department an administrative fine in the total amount of \$12,000.00 dollars. His producer's license shall be suspended for 30 days and he will remain under a Probationary Period of six months, under the direct supervision of his employer, James V. Wilson, Jr.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in Mr. Richburg's licensing file.

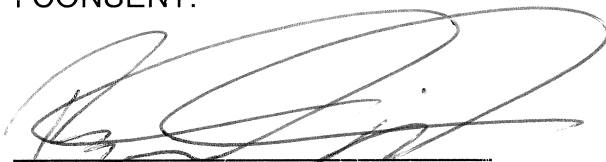
This order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "E. N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

March 31, 2004
Columbia, South Carolina

I CONSENT:

A handwritten signature in black ink, appearing to read 'Rodney R. Richburg', written over a horizontal line.

Rodney R. Richburg
116 Putter Drive
Sumter, South Carolina 29150

Dated this ~~27~~ day of March, 2004